

Minutes
Village of Orchard Park
Board of Trustees

The regular meeting of the Board of Trustees of the Village of Orchard Park was held on Monday, November 10, 2025 in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York. Mayor Clinton called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Members present:

Mayor Jo Ann Litwin Clinton
Trustee Dale T. Pyne
Trustee David N. Even
Trustee Christine M. Popek

Others present:

Clerk-Treasurer Heather Tucciarone-Richeal
Code Enforcement Officer John Gullo
Manager of Public Works Emery Wittmeyer

Members absent:

Trustee Matthew J. Hartung

Mayor Clinton made the following announcement:

“Fire exits are located at the rear in the Board Room and at the doorway to the lobby. In the event of a fire, you will be notified by announcement on the public address system. If notified, please move in a calm and orderly fashion to the nearest exit.”

A public hearing was scheduled and advertised for this time to hear public comment on a Special Use Application by Orchard Square Equity Enterprises, LLC for Mario’s Bistro and Brews to operate an eating and drinking establishment at 4211 North Buffalo Street, SBL #162.17-2-18.1.

Mayor Clinton opened the public hearing at 7:02 pm and asked for a representative of the petitioner to explain the request.

- Mario Marrazzo explained that they are relocating their restaurant from East Aurora to the space previously occupied at 4211 North Buffalo Street and will be offering breakfast, lunch and dinner. The grand opening is tentatively scheduled for December 6th.

Mayor Clinton asked 3 times for comments in support of the Special Use request.

- Kathy Donnelly of E. Quaker Street stated that she is familiar with Mario’s restaurant and Orchard Park is lucky to have them moving into the Village.

Mayor Clinton asked 3 times for comments opposing the Special Use request. There were none.

Moved by Trustee Popek, seconded by Trustee Even to close the public hearing at 7:04 pm.

On the question:	3 voting “Aye”	0 voting “Nay”	Carried
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Moved by Trustee Pyne, seconded by Trustee Popek to approve the Special Use for Mario's Bistro and Brews to operate an eating and drinking establishment at 4211 North Buffalo Street.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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A public hearing was scheduled and advertised for this time to hear public comment on a Special Use request by Kristie Greene, Greene Quaker Home, LLC, to establish a short-term rental at 6883 East Quaker Street, SBL #162.18-1-32.

Mayor Clinton opened the public hearing at 7:05 pm and asked for a representative of the petitioner to explain the request.

- Jim Bammel of Bammel Architects, representing the property owner explained that this would be for a short-term rental as a 1-bedroom plus above the garage as an Airbnb. He stated that there would be adequate, dedicated parking available. He also explained that the property owner, Kristie Greene, currently lives out of town and Nickole Garrison would be the primary point of contact, he could be the second point of contact if needed. Jim further explained that Airbnb requires that renters and property owners are vetted prior to approval. He noted that due to a lack of hotels in the area, short-term or weekend rentals are a convenient option for people to stay close to family.

Mayor Clinton asked 3 times for comments in support of the Special Use request. There were none.

Mayor Clinton asked 3 times for comments opposing the Special Use request.

- John and Jan Bos, 6925 E. Quaker St. stated that the home is minimally maintained because the homeowner is absent. They don't feel the home's appearance is kept up to the standard of the neighborhood. They are not in favor of short-term rentals at all and are opposed to this application.

- A resident at 6858 E. Quaker St. said that he is opposed to the short-term rental. He stated that there was a large group staying in the home over the summer who were loud and causing a disturbance to the neighbors after 11 pm. He also questioned what the host response time and responsibility would be if there were any issues.

- Ellen Murray, 6867 E. Quaker St. stated that she was opposed to the proposal.
- Kathy Donnelly, 6874 E. Quaker St. stated that she was opposed to the proposal.
- Elizabeth Berst, 110 S. Lincoln Ave., stated that she was opposed to the proposal.

Moved by Trustee Even, seconded by Trustee Pyne to close the public hearing at 7:20 pm.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even	0 voting "Nay"	Carried
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Trustee Popek

Mayor Clinton acknowledged the resident's concerns. She explained that approving the proposal will allow the Village to have more oversight of the rental and provide the Village Building Inspector and Code Enforcement Officer the authority to regulate and inspect the property to ensure there are no issues and that the property is properly maintained and upkept. Mayor Clinton also noted that approval would be for 1 year and the owner would need to apply to the Village Board for a renewal next year.

Moved by Trustee Popek, seconded by Trustee Even to approve the Special Use request by Kristie Greene, Greene Quaker Home LLC, to establish a short-term rental at 6883 E. Quaker St., subject to an annual review by the Village Board to determine if there are any concerns or issues related to its operation. The Village Board reserves the right to revoke or modify the permit if warranted based on such review.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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A public hearing was scheduled and advertised for this time to hear public comment on a Special Use request by 32 & 36 Linwood, LLC, to establish a short-term rental establishment at 4240 North Buffalo Street, SBL #162.17-1-12.1.

Mayor Clinton opened the public hearing at 7:23 pm and asked for a representative of the petitioner to explain the request.

- Jim Bammel of Bammel Architects representing John and Fran Ricotta stated that this would be located in the second floor apartments at 4240 North Buffalo Street to be used as short-term rentals.

Mayor Clinton asked 3 times for comments in support of the Special Use request. There were none.

Mayor Clinton asked 3 times for comments opposing the Special Use request.

- A member of the audience expressed her concern with the increase in the number of short-term rentals. She feels that by approving more short-term applications it will make it difficult to disapprove them later on. She does not believe short-term rentals are good for the Village or its residents.

- Jim Bammel commented that while he understands the resident's concerns, there are also benefits for the property owner and neighbors as well. He explained that short-term renters historically are safer than long-term renters in terms of a reduction in damage to the existing property and neighborhood disruption.

Moved by Trustee Pyne, seconded by Trustee Popek to close the public hearing at 7:26 pm.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
 Trustee Pyne
 Trustee Even
 Trustee Popek

Moved by Trustee Even, seconded by Trustee Popek to approve the Special Use request by 32 & 36 Linwood LLC, to establish two (2) short-term rental units at 4240 N. Buffalo St., subject to an annual review by the Village Board to determine if there are any concerns or issues related to its operation. The Village Board reserves the right to revoke or modify the permit if warranted based on such review.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
 Trustee Pyne
 Trustee Even
 Trustee Popek

A public hearing was scheduled and advertised for this time to hear public comment on a Special Use request by 32 & 36 Linwood, LLC, to establish a short-term rental at 4254 North Buffalo Street, SBL #162.17-1-13.

Mayor Clinton opened the public hearing at 7:26 pm and asked for a representative of the petitioner to explain the request.

● Jim Bammel of Bammel Architects representing John and Fran Ricotta, explained this was a long-term rental that the owners would like to convert to a 2-bedroom short-term rental.

Mayor Clinton asked 3 times for comments in support of the Special Use request. There were none.

Mayor Clinton asked 3 times for comments opposing the Special Use request. There were none.

Moved by Trustee Even, seconded by Trustee Pyne to close the public hearing at 7:28 pm.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
 Trustee Pyne
 Trustee Even
 Trustee Popek

Moved by Trustee Popek, seconded by Trustee Even to approve the Special Use request by 32 & 36 Linwood LLC, to establish a short-term rental at 4254 N. Buffalo St., subject to an annual review by the Village Board to determine if there are any concerns or issues related to its operation. The Village Board reserves the right to revoke or modify the permit if warranted based on such review.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Trustee Pyne
Trustee Even
Trustee Popek

A public hearing was scheduled and advertised for this time to hear public comment on a Special Use request by DI-BAM, LLC, to establish a short-term rental at 6572 East Quaker Street, SBL #162.17-2-5.

Mayor Clinton opened the public hearing at 7:28 pm and asked for a representative of the petitioner to explain the request.

● Jim Bammel, property owner of 6572 East Quaker Street, explained that there was a residential apartment above the bakery that has been vacated. He would like to convert the apartment to a 2 bedroom short-term rental.

Mayor Clinton asked 3 times for comments in support of the Special Use request. There were none.

Mayor Clinton asked 3 times for comments opposing the Special Use request. There were none.

Moved by Trustee Pyne, seconded by Trustee Popek to close the public hearing at 7:29 pm.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Trustee Pyne
Trustee Even
Trustee Popek

Moved by Trustee Even, seconded by Trustee Pyne to approve the Special Use request by DI-BAM LLC, to establish a short-term rental at 6572 E. Quaker St., subject to an annual review by the Village Board to determine if there are any concerns or issues related to its operation. The Village Board reserves the right to revoke or modify the permit if warranted based on such review.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Trustee Pyne
Trustee Even
Trustee Popek

Moved by Trustee Even, seconded by Trustee Popek to accept the minutes of October 27, 2025 as presented.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Trustee Pyne
Trustee Even

Trustee Popek

Moved by Trustee Even, seconded by Trustee Popek that vouchers numbering 7990 to 8017 in Batch #278 of fiscal year 2025-2026 in the amount of \$212,117.17 be paid as presented.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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There were no comments from the floor of items not on the agenda.

Moved by Trustee Even, seconded by Trustee Pyne that the reports of the Treasurer and Water Department for the month of October be received and filed.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Code Enforcement Officer Gullo had nothing to report.

Manager of Public Works Wittmeyer had nothing to report.

Trustee Pyne had nothing to report.

Trustee Even mentioned for all those who spoke at the public hearings to please report any issues that may arise to the police so it is documented and reported to the Village Board.

Trustee Popek had nothing to report.

Clerk-Treasurer Richeal had nothing to report.

Mayor Clinton had nothing to report.

Moved by Trustee Popek, seconded by Trustee Even that a public hearing be scheduled and advertised for December 8, 2025 at 7:00 pm to hear public comment on establishing 2026 water rates.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Pyne, seconded by Trustee Popek that the following resolution be adopted:

WHEREAS, Heather Tucciarone-Richeal, Village Clerk-Treasurer of the Village of Orchard Park, Inc. has delivered to the Board of Trustees an account of the 2025 Village taxes remaining unpaid and said account shows the description of each parcel of real property upon which taxes remain unpaid, person or persons in whose name property is assessed and the amount of unpaid tax, and

WHEREAS, said Village Clerk-Treasurer having made an oath before the officer authorized to administer oaths, and the taxes mentioned in such account therein remain unpaid and that after diligent efforts she has been unable to collect the same,

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 1436 of the Real Property Tax law, said Heather Tucciarone-Richeal, as Village Clerk-Treasurer of the Village of Orchard Park, Inc. be credited with the amount of \$7,635.58, the amount of the unpaid 2025 Village taxes.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Popek, seconded by Trustee Even that the following resolution be adopted:

WHEREAS, there remains unpaid Village taxes on certain Village properties, and

WHEREAS, these unpaid taxes have been compared to the original tax roll, and are correct, and

WHEREAS, the Board of Trustees of the Village of Orchard Park, Inc. has entered into an agreement with the County of Erie to collect the unpaid Village taxes,

NOW, THEREFORE BE IT RESOLVED, that the Village Clerk-Treasurer, Heather Tucciarone-Richeal, be instructed to turn over the unpaid 2025 Village taxes in the amount of \$7,635.58 to the County of Erie for collection.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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The next regular meeting is scheduled for November 24, 2025.

Moved by Trustee Even, seconded by Trustee Pyne to adjourn at 7:33 p.m.

On the question:	3 voting "Aye" Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Respectfully submitted,

Heather Tucciarone-Richeal, Village Clerk-Treasurer